

THOMAS E. FRANKOVICH (State Bar #074414)
 GEORGE S. KHOURY (State Bar #269738)
 THOMAS E. FRANKOVICH
A PROFESSIONAL LAW CORPORATION
 4328 Redwood Hwy, Suite 300
 San Rafael, CA 94903
 Telephone: 415/674-8600
 Facsimile: 415/674-9900
tfrankovich@disabilitieslaw.com

Attorneys For Plaintiffs IRMA RAMIREZ; and
 DAREN HEATHERLY ,

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

IRMA RAMIREZ; and
 DAREN HEATHERLY

Plaintiffs,

v.

BRIGITTE U. LEHR, an individual dba
 LEHR'S GERMAN SPECIALTIES; and
 BRIGITTE U. LEHR, Surviving Trustee of
 The BORIS LEHR and BRIGITTE U.
 LEHR REVOCABLE TRUST
 Defendants.

CASE NO. CV-13-2950-EMC

**STIPULATION OF DISMISSAL AND
~~[PROPOSED]~~ ORDER THEREON**

The parties, by and through their respective counsel, stipulate to dismissal of this action in its entirety with prejudice pursuant to Fed.R.Civ.P.41(a)(2). Outside of the terms of the Settlement Agreement and General Release ("Agreement") herein, each party is to bear its own costs and attorneys' fees. The parties further consent to and request that the Court retain jurisdiction over enforcement of the Agreement. *See Kokonen v. Guardian Life Ins. Co.*, 511 U.S. 375 (1994) (empowering the district courts to retain jurisdiction over enforcement of settlement agreements).

Therefore, IT IS HEREBY STIPULATED by and between parties to this action through their designated counsel that the above-captioned action become and hereby is dismissed with prejudice pursuant to Federal Rules of Civil Procedure 41(a)(2).

This stipulation may be executed in counterparts, all of which together shall constitute one original document.

Dated: November 12, 2013

THOMAS E. FRANKOVICH
A PROFESSIONAL LAW CORPORATION

By: /s/ Thomas E. Frankovich
Thomas E. Frankovich
Attorneys for IRMA RAMIREZ; and
DAREN HEATHERLY

Dated: November 12, 2013

RAGUNATH K. DINDIAL,
Attorney at Law

By: /s/ Ragunath K. Dindial
Ragunath K. Dindial
Attorney for Defendants BRIGITTE U. LEHR, an
individual dba LEHR'S GERMAN SPECIALTIES;
and BRIGITTE U. LEHR, Surviving Trustee of The
BORIS LEHR and BRIGITTE U. LEHR
REVOCABLE TRUST

ORDER

IT IS HEREBY ORDERED that this matter is dismissed with prejudice pursuant to Fed.R.Civ.P.41(a)(2). IT IS FURTHER ORDERED that the Court shall retain jurisdiction for the purpose of enforcing the parties' Settlement Agreement and General Release should such enforcement be necessary

Dated: 1/6/14, ~~2013~~

Honorable Magistrate Judge
UNITED STATES DISTRICT COURT

